

TEACHERS' RETIREMENT BOARD
BENEFITS AND SERVICES COMMITTEE

SUBJECT: CONSENT AGENDA

ITEM NUMBER: 4

ATTACHMENT(S): 2

ACTION: X

DATE OF MEETING: July 9, 1998

INFORMATION:

PRESENTER(S): Ms. Olivo

The Office of Administrative Hearings (OAH) has rendered the following proposed decision that must be adopted or rejected by the Board:

NAME: GENEVA BARKER

HEARING DATE: APRIL 24, 1998

PROPOSED DECISION: Administrative Law Judge, Muriel Evens, Sacramento, concluded by the facts presented that the choice made by Mr. Barker on his Pre-Retirement Option Election designating his daughter, Roxanne Ball, as his Option 2 beneficiary was not the result of mistake, inadvertence, surprise and/or excusable neglect.

Staff recommends that the Board adopt the proposed decision to deny respondent's request to have the Option 2 allowance benefit issued in respondent's name rather than in the daughter's name, since it adequately reflects the issues and evidence presented at the hearing and the determination of the issue is adequately supported within the body of the decision.

PROPOSED

**RESOLUTION
OF THE
TEACHERS' RETIREMENT BOARD
BENEFITS AND SERVICES COMMITTEE**

Subject: Consent Agenda
Consideration of Proposed Decision

Resolution No. _____

WHEREAS, the Benefits and Services Committee has been delegated the authority by the Board to act finally on the following proposed decision; and

Whereas the Committee has reviewed the following proposed decision: Geneva Barker, Request to Receive an Option 2 Allowance, Denied; and

WHEREAS, the Committee finds this in conformance with the guidelines adopted by the Board; Therefore be it

RESOLVED, That the proposed decision listed above is adopted.

Adopted by:
Benefits and Services Committee

On _____

JAMES D. MOSMAN
Chief Executive Officer